

REMARKS:

Claims 60 and 66 are amended and new claims 67-68 are added as indicated above.

Claims 1-25 and 52-68 are pending upon entry of this amendment.

Response to Claim Objections

In paragraph 3 of the Office action, Examiner objected claim 60 because it allegedly fails to recite computer executable instructions. Applicants have amended claim 60 following the Examiner's suggestion.

In paragraph 4 of the Office action, Examiner objected claim 66 because it depends from itself. Applicants have amended claim 66 to depend from claim 60. Accordingly, Applicants respectfully request that Examiner reconsider and withdraw the objections.

Response to Rejection Under 35 USC § 103(a)

In paragraph 6 of the Office action, Examiner rejected claims 1-25, 52-66 under 35 USC § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,960,406 to Rasansky et al. ("Rasansky") in view of U.S. Patent No. 6,253,998 to Ziarno ("Ziarno"). Applicants respectfully disagree.

Claim 1 specifically recites:

“receiving event information input by the user, said event information indicating a scheduled event, at least one invitee to be invited to said scheduled event and **information indicative of RSVP fees required to attend said scheduled event;**
providing an invitation to said invitee, said invitation indicating said scheduled event and said RSVP fees, and soliciting a response to said invitation, wherein **an affirmative response to said invitation requires a payment as defined by said RSVP fees;**”

Thus, claim 1 recites an event planning process allowing a user (the planner) to specify event information including RSVP fees required to attend the event, and provide an invitation to an invitee. In order to affirmatively respond to the invitation, the invitee is required to pay the RSVP fees. Independent claim 60 similarly recite a computer program receiving RSVP fee information specifying a fee required to attend the event, and providing an invitation requiring a payment of the RSVP fee in order to accept it.

Rasansky, as Examiner properly noted, does not disclose the claimed features of RSVP fees or the requirement of the payment of the RSVP fees to affirmatively respond to the invitation.

Ziarno, among other differences, does not disclose the above claimed features of RSVP fees and the requirement of the payment of the RSVP fees to affirmatively respond to the invitation. Ziarno, in contrast, discloses an electronic fund-raising monetary contribution system where potential contributors can choose to contribute a certain amount of money by using the system. Ziarno's system collects monetary contributions from contributors in amounts determined by the contributors themselves and does not receive "information indicative of RSVP fees" determined by the event planner as claimed. Likewise, Ziarno's system collects monetary contributions **during** a fund-raising event and does not require a potential contributor to pay RSVP fees ahead of time to accept the invitation as claimed. Thus, Ziarno fails to disclose or suggest the above claimed features.

The combination of Rasansky and Ziarno likewise fails to disclose or suggest the above claimed features. To establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claimed limitations. MPEP 2143. As discussed above, the claimed features related to RSVP payments are

neither disclosed nor suggested in the cited references. Even if the two references were combined, at best the combination provides a method for collecting monetary contributions among users of an event planning system, or a method for scheduling an event to raise contributions, neither of which is relevant to the instant claims.

It is respectfully submitted that claims 1 and 60 are patentably distinguishable over Rasansky and Ziarno for the above reasons. As to the dependent claims, because claims 2-25 and 52-59 are dependent on claim 1, and claims 61-66 are dependent on claim 60, all arguments advanced above with respect to claims 1 and 60 are hereby incorporated so as to apply to claims 2-25, 52-59, and 61-66.

Conclusion



Applicants have added new claims 67-68 which are similar to pending claim 3 and recite that the invitation web page is publicly-accessible via the network. Applicants respectfully submit that these are supported by the specification and are commensurate within the scope of protection to which Applicants believe they are entitled.

In sum, Applicants respectfully submit that claims 1-25 and 52-68, as presented herein, recite statutory subject matter and are patentably distinguishable over the cited reference for the reasons described above. The claims not specifically mentioned above incorporate the limitations of their base claims and are believed allowable for at least the same reasons. Therefore, Applicants respectfully request allowance of the claims and application.

If the Examiner believes that there are any remaining issues to be resolved prior to allowance of this application, she is respectfully invited to contact the undersigned attorney directly to expediently resolve such concerns.

Respectfully Submitted,
JUSTIN T. NGUYEN ET AL.

Date: 3/14/06

By:  
Brian M. Hoffman, Reg. No. 39,713
Attorney for Applicants
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2484
Fax: (415) 281-1350